

HISTORICAL SKETCH

OF

Hollywood Cemetery,

FROM THE

3d of June, 1847, to 10th July, 1889.

Prepared by Committees appointed for that object,
on the fourth day of May, 1875, and on
the first day of June, 1891.

OFFICE OF SECRETARY AND TREASURER,
No. 1014 East Main Street.

RICHMOND:
THE BAUGHMAN STATIONERY CO., PRINTERS.
1893.

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1893.

BOARD OF DIRECTORS,

ELECTED MAY 4, 1875.

WILLIAM H. HAXALL, President.

JAMES H. GARDNER, Secretary and Treasurer.

CORBIN WARWICK,

JOHN L. BACON,

ALFRED T. HARRIS,

PEACHY R. GRATTAN,

CHARLES T. WORTHAM,

HENRY EXALL,

THOMAS D. QUARLES,

ROBERT F. WILLIAMS,

WELLINGTON GODDIN,

JOHN B. DANFORTH.

JAMES O'KEEFE, Superintendent.



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HISTORICAL SKETCH OF HOLLYWOOD CEMETERY, EMBRACING IMPORTANT PROCEEDINGS SINCE THE ORGANIZATION OF THE COMPANY.

In the spring of 1847, two citizens of Richmond, Messrs. JOSHUA J. FRY and WM. H. HAXALL, whilst on a visit to Boston, visited "Mount Auburn," the beautiful cemetery near that city, and, impressed with the solemn grandeur of the place, resolved that they would, on their return to Richmond, propose the establishment of a rural cemetery near the city. At first the scheme did not meet with much favor, or at least some of those approached on the subject did not give the project that encouragement which had been expected from them. Messrs. FRY and HAXALL determined, however, that the cemetery should be established, and received assurances of active co-operation from several public-spirited citizens of wealth and influence, who appreciated the importance of the undertaking.

On the 3rd of June, 1847, JOSHUA J. FRY, WILLIAM MITCHELL, JR., WILLIAM H. HAXALL and ISAAC DAVENPORT, SR., purchased of Lewis E. Harvie, who sold under a deed of trust from Jacqueline B. Harvie, for the sum of \$4,675, "a certain portion of the lots or parcels of land lying and being in the town of Sidney, in the county of Henrico, together with the privileges and appurtenances to the same belonging, which said portion is adjoining to Clarke's Spring, and contains by survey, forty-two acres, three roods, but of which one rood, known as Harvie's

burying yard or grave yard, with free ingress and egress to the said grave yard, is reserved." This purchase was made with the design of establishing a Rural Cemetery.

On the 3rd of August following, a meeting of the subscribers, who had now become associated with the purchasers above named, was held in the Stockholders' room of the Farmers' Bank of Virginia. ISAAC DAVENPORT was called to the Chair, and CHARLES C. HUDSON appointed Secretary. The subscribers organized themselves into a company by appointing a President, Treasurer and Secretary, and four Trustees,—namely: ISAAC DAVENPORT, President, JOSHUA J. FRY, Treasurer, CHARLES C. HUDSON, Secretary, and WILLIAM MITCHELL, JR., THOMAS H. ELLIS, WILLIAM H. HAXALL and JAMES H. GARDNER, Trustees. They adopted also the following Resolution: "That the Board of Trustees shall be charged with the general care and management of the property and grounds of the company, and shall have power to make contracts for the improvement and embellishment of the said grounds, and arrangements for the proper regulation thereof, and may employ all necessary superintendents and agents for that purpose,—under and subject to such directions, general or special, as the subscribers may from time to time prescribe." The price of a share in the Cemetery Association was fixed at \$100.

A majority of the subscribers not having been present at that meeting, it was deemed expedient to hold another. Accordingly a second general meeting, more fully attended, was held in the counting-room of Messrs. Davenport, Allen & Co., on the 9th of August, 1847. *Corbin Warwick* was called to the Chair, and *Charles C. Hudson* appointed Secretary. The old officers resigned; whereupon a new board was elected—as follows: *Isaac Davenport*, President, *Joshua J. Fry*, Treasurer, *Charles C. Hudson*, Secretary, and *William H. Haxall*, *Thomas H. Ellis*, *James H. Gardner*, *Horace L. Kent*, *Robert McClellan* and *Henry Exall*, Trustees, *Mr. Mitchell* having declined to serve.

In November, 1847, the work of clearing and improving the grounds was commenced under Mr. David Græme as superintendent.

On the 27th of November, 1847, *Isaac Davenport, Joshua J. Fry*, and *William H. Hazall* purchased of Wellington Goddin, for the sum of \$725, one acre lot in the town of Sidney, with the improvements thereon, adjoining the land previously purchased; and on the same day, purchased of John A. Pilcher, for the sum of \$1,000, one other acre lot, also adjoining that previously purchased, both being for and on account of the new Cemetery Company.

In August, 1847, Mr. William A. Pratt, architect and late superintending Engineer of Green Mount Cemetery, near Baltimore, now of this city, very obligingly furnished the subscribers, without charge, a plan for their proposed Cemetery, prepared by himself after a careful topographical examination of the site.

The approaches to the Cemetery having been subsequently changed, and other variations determined upon, the Board availed themselves of a visit which Mr. John Notman, architect, of Philadelphia, was making to Virginia, for the purpose of laying out the grounds at the Huguenot Springs, to engage him to prepare a more complete and precise plan than that which had been furnished by Mr. Pratt.

In February, 1848, Mr. Notman's plan was received, having been executed in the most skilful and satisfactory manner, after great pains taken to bring out all the beauties of which the site of the Cemetery was capable. The prevalence of the beautiful holly-tree upon the grounds, induced Mr. Notman to suggest the name of HOLLY-WOOD CEMETERY, which was adopted by the subscribers.

At a session of 1847-48, the Legislature having refused a charter, the land was advertised to be sold in building lots, on the 24th day of April, 1848, orders to that effect having been given by the Board of Directors. But many of the subscribers having signified their unwillingness to abandon the scheme, that sale was postponed, and a general meeting of the subscribers called for the 1st May, 1848—which was held in the office of Messrs. Meredith & Young. *Samuel Reeve* was appointed Chairman, and *Alexander Duval* Secretary. To test the sense of

the meeting, a motion was made that the subscribers consent to a sale of the property, which motion was decided in the negative by a very large majority. A committee consisting of *P. R. Grattan*, *G. A. Myers*, *W. Goddin*, *W. H. Haxall* and *I. Davenport*, was then appointed to procure a deed conveying the property in trust for the use of the Association, and to prepare By-Laws, Rules and Regulations for the government of the Association, and report to an adjourned meeting of the subscribers.

On the 10th of May an adjourned meeting was held at the same place. The committee appointed to procure a deed, &c., reported that they had performed their duties only in part, and submitted a series of By-Laws which were adopted by the meeting. *R. B. Haxall*, *T. W. McCance* and *W. Goddin*, were appointed a committee to nominate directors, and upon their nomination the following gentlemen were elected, to wit: *Thos. H. Ellis*, *William Mitchell, Jr.*, *William Henry Haxall*, *Henry Exall*, *James H. Gardner*, *Alexander Duval*, *Corbin Warwick*, *Wellington Goddin* and *Gustavus A. Myers*; *Mr. Davenport*, the former President, having declined to serve again in the Board. The Board of Directors were instructed to appoint nine Trustees, to whom the property was to be conveyed in trust. And *B. W. Haxall* and *R. H. Maury* were appointed a committee to solicit additional subscribers, and to obtain the signatures of all previous subscribers to the By-Laws.

Early in July, 1848, the work of laying out and improving the Cemetery according to Mr. Notman's plan was commenced, and vigorously prosecuted with a force varying from twelve to twenty-five laborers, until late in November, when the force was reduced to the superintendent and three laborers.

In March following, the work was resumed with a larger force, and the funds for this purpose were raised by Mr. Jas. H. Gardner, who negotiated a Bank Loan to an amount of about \$12,000 upon his individual endorsement, and continued it as an accommodation to the Company until sufficient was realized from sales of lots to cancel the debt entirely.

The following is a list of the subscribers:

Joseph Allen,	Isaac Davenport,
Frederick Anderson,	James Dunlop,
John L. Bacon,	Alexander Duval,
William Barret,	Thomas H. Ellis,
William Beers,	John England,
John G. Blair,	Henry Exall,
James C. Crane,	H. W. & J. J. Fry,
James H. Gardner,	Gustavus A. Myers,
A. F. D. Gifford,	Charles F. Osborne,
Wellington Goddin,	Royal Parish,
Peachy R. Grattan,	John A. Pilcher,
H. Brooke Gwathmey,	Charles W. Purcell,
Alfred T. Harris,	Thomas D. Quarles,
Bolling W. Haxall,	Samuel Reeve,
Richard Barton Haxall,	Theodorick Robertson,
Wm. Henry Haxall,	James Scott,
Richard Hill, Jr.,	Robert B. Somerville,
John Howath,	John H. Strobria,
Charles C. Hudson,	James M. Sublett,
F. & J. S. James & Co.,	James Thomas, Jr.,
Caleb Jones,	John Thompson,
Horace L. Kent,	Jno. E. Wadsworth,
James S. Kent,	Abram Warwick,
William H. Macfarland,	Corbin Warwick,
Robert H. Maury,	John G. Wayt,
Thomas W. McCance,	John Womble,
Robert McClellan,	Charles T. Wortham.
Wm. Mitchell, Jr.,	

DEED OF TRUST.

THIS INDENTURE, made this 23rd day of April, in the year 1849, between Isaac Davenport and Eunice, his wife, Joshua J. Fry and Sally B., his wife, William Henry Haxall and Alice, his wife, and William Mitchell, Jr., and Julia A., his wife, of the first part, and William H. Macfarland, Abraham Warwick, Richard Barton Haxall, Humphrey Brooke Gwathmey, James C. Crane, John Womble, Horace L. Kent, Peachy R. Grattan and John L. Bacon of the second part; Whereas, divers persons have heretofore subscribed certain sums of money for the purchase of a tract or tracts of land, adjacent to the city of Richmond, whereof so much as they may deem proper is to be used and appropriated in perpetuity as and for a Cemetery and burial place and have associated themselves together by the name of "The Holly-Wood Cemetery Company;" and whereas the land so purchased has, for the convenience thereof, been heretofore conveyed to the parties of the first part to this indenture, in fee simple, who are now desirous to convey the same to Trustees for the uses and purposes for which the said land was originally purchased, and the said parties of the second part have been named and selected by the said company as the Trustees aforesaid. Now this indenture witnesseth that for and in consideration of the premises, and also of the sum of five dollars to the said parties of the first part in hand paid by the said parties of the second part before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, the said parties of the first part have granted, bargained and sold, and by these presents do grant, bargain, sell and convey unto the said parties of the second part, and the survivors and survivor of them, and the heirs and assigns of such survivor, a certain tract or parcel of land in the county of Henrico adjacent to the said City of Richmond, and to Clarke's Spring, in the said county, containing forty-four acres and three roods, embracing a portion of the lots of ground lying and being in

the town of Sidney, together with the improvements thereon and the privileges and appurtenances thereto in anywise belonging; of which said tract or parcel of land, forty-two acres and three roods, were conveyed to the said parties of the first part by Lewis E. Harvie by deed, bearing date the 23rd day of June, 1847, and with the plat thereto annexed, admitted to record in the Clerk's Office of Henrico County Court on the 3rd day of July, 1847; but out of which said forty-two acres and three roods, one rood is reserved by said deed, known as Harvie's burying ground or grave yard, with free ingress and egress to the same; the said property so conveyed by said deed with the metes and boundaries of the same, being fully set forth and described in the said plat annexed to the said deed. Of the remaining two acres of the said tract of land, one acre was conveyed by deed, to the said Isaac Davenport, Joshua J. Fry and William H. Haxall, a portion of the said parties of the first part, by Wellington Goddin and Eliza P., his wife, and the other acre, designated in the plan of the said town of Sidney as lot No. 528, was by deed conveyed also to the said last mentioned persons by John A. Pilcher and Elizabeth A. P., his wife, both which last mentioned deeds bear date the 27th day of November, in the year 1847, and are of record in the said office of the said court on the 8th day of December, 1847; all of which by reference to the said above recited deeds and the said plat annexed to the said deed of the 23rd of June, 1847, will more fully and at large appear. To have and to hold the said tract or parcel of land hereby conveyed or intended to be conveyed unto the said parties of the second part and the survivors and survivor of them and the heirs and assigns of such survivor forever. Upon the following trusts, and for the following purposes and for none other, that is to say:

First. That the said parties of the second part shall hold the property hereby conveyed for the sole use and benefit of such persons as have now subscribed and paid for a share or shares in the said Holly-Wood Cemetery Company, and for such person or persons as may hereafter subscribe and pay for a share or shares in the same.

Secondly. That the said parties of the second part, the survivors and survivor of them and the heirs of the survivor, shall permit such person or persons as the share-holders or a majority of them shall hereafter appoint to enter upon the property hereby conveyed for the purpose of laying out and improving the ground.

Thirdly. The said person or persons so appointed as aforesaid, shall divide the said property into lots and number the same. Shall sell the said lots for burial purposes and none other, with the exception hereinafter stated, either by private sale, or at public auction, for ready money, or upon time as they may deem most advisable and beneficial for those therein concerned, and shall pay over to the share-holders, out of the proceeds of such sales the amounts respectively which they shall have paid for the said land and the improvements of the said ground, the title to which said lots shall be conveyed by the said parties of the second part, or by any three of them, who are hereby authorized to act for the survivors or survivor of them or the heirs of such survivor.

Fourthly. When the said share-holders shall have been paid the amounts as aforesaid, and the expenses of improvement as aforesaid, then the said parties of the second part, their survivors and survivor and the heirs of the survivor shall hold the said property for the exclusive use of the purchasers of said lots, but the said purchasers shall not at any time, with the exception hereinafter stated, convert the said property to other uses than that of burial, nor shall any purchaser or purchasers at any time sell the right of burial in any lot or lots so purchased by him or them.

Fifthly. The said purchasers of lots shall have the right to prescribe, either by themselves or by agents or directors to be annually appointed by them in public meeting, rules and regulations for the management of said property: and any sale or transfer of said lots by the said purchasers or any one of them, or by agents or directors for them, shall be made in accordance with and after the manner and form which the said purchaser shall hereafter at any time adopt.

Sixthly. The remainder of the proceeds arising from the sale of the said lots, after payment as above mentioned to the said share-holders, shall be used and expended in the further improvement of the said grounds, subject to the control of the said purchasers therein; and such lots as shall remain unsold shall belong to and be held by the said parties of the second part, their survivors or survivor and the heirs of the survivor, for the purchasers aforesaid collectively; the interest of each said purchaser to be in proportion to the sum or sums paid by him in the purchase of such lot or lots as shall have been sold as aforesaid, and the person or persons appointed by the said share-holders for the sale of said lots and other purposes as herein above provided, shall keep a record of such sales as are made by them in a book provided for the purpose.

Seventhly. Whenever the said share-holders (so long as they retain an interest in said property) or two-thirds of them, and whensoever the said purchasers or owners of the said lots shall, at a meeting called for the purpose, request the said parties of the second part, their survivors or survivor, or the heirs of the survivor, to convey to any other person or persons, upon the trusts contained in this indenture, the title to the said property, and shall tender to the said parties of the second part, or any three of them, as aforesaid, their survivors or survivor, or the heirs of the survivor, a deed properly prepared for the purpose, it shall be the duty of the parties of the second part, or any three of them, as aforesaid, the survivors or survivor of them, and the heirs of such survivor, to execute the said deed in such manner as that the same may be admitted to record in the proper office in the manner prescribed by law at the time of its execution.

Eighthly. Whenever at a meeting of the said purchasers or owners of the said lots, to be called for the purpose, it shall be determined by a vote of two-thirds or more of the said purchasers or owners, to sell a portion of the said lots for other purposes than those of burial, the same may be sold by the said annually appointed agents or directors, or by other person or persons appointed by the said purchasers or owners for that

special purpose, the title to which said portion shall be conveyed by deed or deeds properly prepared as aforesaid, and tendered for execution to the said parties of the second part, or any three of them as aforesaid, their survivors or survivor, or the heirs of the survivor, or to such person or persons as may then be fully authorized to execute and deliver the same, so that the same may be legally recorded. But no lot or lots that shall previously have been sold to any purchaser and paid for by him, and either used or intended to be used by him for burial purposes, shall be re-sold without the consent of such purchaser or owner. The proceeds of such sale to be held by the said parties of the second part, their survivors or survivor, and the executors and administrators of such survivor, or by such person or persons as may then be properly authorized by the said purchasers, to hold the same and be disposed of as the said purchasers or a majority of them shall direct, and the interest of each said purchaser in such proceeds shall be in the same proportion as his interest in the said lots as hereinbefore specified.

Ninthly. It is to be understood that in determining what are two-thirds of the share-holders and two-thirds of the purchasers or owners of lots as meant in this deed, at any meeting of the share-holders, so long as they retain an interest in said property, each share-holder shall be entitled to one vote for each share so held by him. And when the share-holders shall have been paid in a manner as hereinbefore specified, and as share-holders shall have ceased to retain an interest in the said property, at any meeting held by the purchasers or owners of the said lots, each purchaser or owner shall have one vote for each lot purchased and held by him.

In witness whereof, the parties to these presents have hereunto set their hands and affixed their seals, on the day and in the year first above written as the date hereof.

BY-LAWS.

Whereas, the subscribers have united in the purchase of certain lands lying near the city of Richmond, for the purpose of a Cemetery; and, whereas, the said lands have been conveyed to trustees upon certain trusts declared in the deed of conveyance: and, whereas, it is expedient and necessary that we shall have terms of union and rules and regulations for the conducting of our proceedings and for the management and supervision of the Cemetery:

Be it Resolved, 1st. That the subscribers hereto, and any other persons who may become subscribers, by the payment of a sum not less than one hundred dollars, shall be united under the name of the Holly-Wood Cemetery Company, and they shall constitute said Company until the sales of the lots in the Cemetery grounds shall be sufficient to pay to them the amount which has been or may be expended by them out of their subscriptions or contributions in the purchase of said lands and the improvements thereof.

2nd. When the amount expended for and upon said grounds, by the subscribers aforesaid, shall be paid to them by the sale of the lots in the Cemetery grounds, the subscribers, as such, shall cease to be members of the Holly-Wood Cemetery Company, and the said Company shall consist of the purchasers of the said lots.

3rd. The affairs of the Holly-Wood Cemetery Company shall be managed and conducted by nine Directors, to be chosen annually by the members of said Company, at a general meeting of the said members. And the said Directors shall hold their office until the next annual meeting of the Company and until their successors are appointed, and they shall be governed in their action by the trusts of the deed and such rules and regulations as may be established by the members of said Company, not inconsistent with said trusts.

4th. The said Directors shall appoint from their own number a President, and shall also appoint a Secretary and Treasurer. The President shall preside at the meetings of the Directors and perform such other duties as they may affix to his office. The Secretary shall keep a record of all the proceedings of the Company and of the Directors, and of such other matters as the Directors may direct. The Treasurer shall receive and pay out all the moneys of the Company under such rules and regulations as the Directors may prescribe.

5th. The Directors, a majority of whom shall constitute a quorum, shall proceed to prepare the said grounds for use as a Cemetery; shall lay off the same or so much thereof as they shall think necessary into lots for burial places, and number the said lots, and enter the said numbers of record; and shall proceed to sell said lots at such times and on such terms as they shall think most expedient; and shall, out of the proceeds of sale, pay to the subscribers respectively the amount each has paid for the purchase of said land and the improvement thereof. And in the improvement of said grounds and laying off said lots, they shall be regulated by the plat thereof, furnished to the subscribers by John Notman, subject to such partial modifications as experience may prove to be necessary. They shall prepare and establish rules and regulations for the management of the affairs of the Company, and the disposition, improvement and protection of the Cemetery grounds. They may fill vacancies in their own body. And they shall do all other things necessary to the objects of said Company, subject, however, in all things to the control of the Company. And they shall make a report of their proceedings to the Company at its annual meeting.

6th. There shall be an annual meeting of the members of the said Company on the first Tuesday of May, of each year, and such other general meetings as may be called by the Directors; at which each member, whilst the subscribers are the members, for every one hundred dollars paid by him, and, when the purchasers of the lots are the members, each lot shall entitle its owner to a vote. A majority of the subscribers whilst they

constitute the Company, and afterwards lot-holders, who are entitled to give one hundred votes, present in person, or by proxy in writing, shall constitute a quorum to do business. And all questions, unless where it is otherwise expressly provided, shall be decided by the majority of the votes present.

7th. The acts of the Directors, done in pursuance of the powers vested in them by the Company, shall be binding on all the members thereof. And the said acts may be done in their own name.

8th. One week's notice, in one or more of the newspapers published in the City of Richmond, shall be given by the Directors of all the general meetings of the Company.

RULES AND REGULATIONS.

I. All Lots shall be held in pursuance of a Deed of Trust from Davenport and wife and others, to Macfarland and others, bearing date 23rd April, 1849, and of record in the Clerk's Office of the Richmond Hustings Court; and shall not be used for any other purpose than as a place of burial for the dead.

II. All interments in Lots shall be restricted to the members of the family and relatives of the proprietors thereof, except special permission to the contrary be obtained, in writing, at the office of the Company.

III. The proprietor of each Lot shall have a right to enclose the same with a wall, not exceeding one foot in thickness and two feet in height, or with a fence not exceeding four feet in height, to be placed on the margin allowed for that purpose; but the Trustees request that all such railings should be of iron, and light, neat and symmetrical.

IV. The proprietor of each Lot shall have a right to erect any proper stones, monuments, or sepulchral structures thereon, and to cultivate trees, shrubs and plants in the same; but no tree growing within the Lot or border, shall be cut down or destroyed without the consent of the Trustees.

V. The proprietor of each Lot shall keep in repair, at his or her own expense, the land-marks of the same, which shall be erected by the Company.

VI. If any trees or shrubs situated in any Lot, shall by means of their roots, branches or otherwise, become detrimental to the adjacent lots or avenues, or dangerous or inconvenient to passengers, it shall be the duty of the said Company, and they shall have the right to enter the said lot and remove the said trees and shrubs, or such parts thereof as are detrimental, dangerous or inconvenient.

VII. If any monument or effigy, or any structure whatever, or any inscription be placed in or upon any Lot, which shall be determined by the major part of the Trustees for the time being to be offensive or improper, the said Trustees or a major part of them, shall have the right, and it shall be their duty to enter upon such Lot and remove the said offensive or improper object or objects.

VIII. It shall be the duty of the Board of Trustees, from time to time, to lay out or alter such avenues or walks, and to make such rules and regulations for the government of the grounds, as they may deem requisite and proper to secure and promote the general objects of the Company.

IX. The proprietors of Lots and their families, shall be allowed access to the grounds at all times, observing the rules which are or may be adopted for the regulation of visitors.

REPORT

ACCOMPANYING PLAN OF HOLLY-WOOD CEMETERY, RICHMOND, VA.

To the Board of Directors of Hollywood Cemetery, Richmond :

GENTLEMEN—In arranging the plan of the Cemetery I have adopted the position of the entrance, on the north-east corner, as most convenient to the city, and as very favorable to an extensive view of the grounds on entering; an impression of extent being highly desirable, where the surface comes to be so much subdivided as in a public cemetery.

That is also the most desirable point to get the first glance of the beautiful variety of hill and valley, which distinguishes Holly-Wood above any cemetery I have seen. No other one has, as this has, three or four valleys opening into a greater one—and that capable of great beauty by being properly planted and laid out.

But beauty must be secondary to use, if circumstances will not admit of their being united. This I have endeavored to do in laying out my plan. How far I have succeeded you will judge on comparing the plan with the grounds.

You may be surprised, taking the first view of the plan, at the number of roads on it; but the absolute necessity of the carriages getting near the lot at a funeral is so apparent in practice, as to make it imperative, that the roads should not be farther apart than the length or breadth, as it may happen, of five or six lots, with foot-paths between parallels of double lots, and occasional grass-path crossings.

On this rule the roads are laid out, at the same time leading them by such routes as best to display and view all the beauty of the grounds, and that little or no cutting or grading will be required; on this plan deep excavation will be necessary only at two places, one rising the hill by section A, going towards where the first entrance was proposed, the other on the road under or east of Harvie's lot. Some trimming of the bank will be needful to a good road on the east side of the principal run of water in the main valley. The roads are made as direct as the shape of the ground will admit to every part of the Cemetery, leaving no point unvisited favorable for views, or useful for lots, or prominent as a site for monuments. Making roads will not be expensive in Holly-Wood, for there is plenty of gravel; in many places, say two-thirds of the route of road, by removing the surface soil, the road is made. The roads necessarily wind and turn to avoid acclivities; this is an advantage, as it produces many angles and corner lots, which are sought for, as you will find; they will be first bought up, being desirable for the display of a monument or tomb. The roads I have made twenty feet wide; it is unnecessary to cut them more

than fourteen or fifteen feet wide, thus leaving a grass broader on each side, of two and a half or three feet, in the power and control of the Cemetery Company, for the purpose of planting or other decorative occupation, and prevents the appearance of the railings and enclosures of lots crowding on the drives.

Five bridges are necessary on the whole route. These may be readily and simply constructed of the trunks of the white oaks that have been cut down, laid on abutments of dry stone walling on each side of the runs or brooks, built without mortar; the granite on the ground might be easily quarried to serve the purpose; a simple rustic railing made of the branches of the trees cut down (with the bark on) placed on each side, will be in better keeping with the place and purpose than the most expensive railing planed and painted. Surface gutters will be necessary in some parts of the road to carry across surface water from the declivities,—they can be provided at the points where necessary, when the work of making the roads is in progress.

I have not named on the plan the roads or avenues, as it is common to do, after trees and plants, such as Elm Avenue, Magnolia Avenue and so on; this has been done at Mount Auburn, and I think in Greenwood and also Greenmount Cemeteries; but would suggest that they be called after the name of the first person who shall erect a handsome monument or family tomb, or to whom such shall be erected; for instance, if you have the tomb or monument of Chief Justice Marshall on a section of road, what more appropriate name than Marshall Avenue? And should the Washington monument of Virginia be erected on the circular lot, shown on the south-west end of the grounds, the road leading to it would be Washington or Monument Avenue. Again, the main road in the greater valley might be Valley Avenue, or East Avenue: that leading by Harvie's lot, might be Harvie's Avenue. I suggest these, as I wish the Holly-Wood Cemetery to be "*sui generis*," original in everything, as it has a distinctive and superior character of ground, which, with the splendid panoramic views from it of the city and river, makes it equal to the best in the country. My aim

in the plan is to enhance these advantages and show the excellent taste which directed its choice and appropriation to this purpose. The naming of the roads, then, I will leave to your judgment, as it might seem presumption in me to do it on the permanent plan, without consulting your Board of Directors. Inserting the names is easily done on the map at any time as you may decide.

Objections may be made to the great number and length of roads. In reference to these, I would say, they combine the uses shown above, together with the perfect opening up or exposing the whole of the grounds to the casual visitor. The pleasure of a drive over a variety of surface with such charming views, will induce visitors. Of easy access, a drive through them will indeed be delightful. Many are interested by the novelty and beauty and become purchasers of lots—thus one class of the public are with you.

Again; the thinking part of the community, the grave and the sad, seeing the last resting-place of their friends and family so well cared for, so decorated by your efforts, will readily join you. Their best feelings are with you; they will feel that their own ashes are never to be disturbed in Holly-Wood,—that it is sacred forever.

The foot-paths are six feet wide and are generally parallel to the main lines of roads and avenues. These footpaths it is not requisite to cut out and prepare at this time; they may be done, as is rendered necessary by the lots being taken up; they are made for the easy access to the lots, as each lot should have one open front at least. On the declivities the paths are of course carried athwart, to render them easy to the pedestrian. Like the roads, the naming of them follows their purpose and occupation; but with these may be used the names of plants and trees, as it better suits a path to be so named than an avenue. What more pleasing in a cemetery, for instance, than the “Willow-path,” or the “Cypress-path?” Many other names of trees assimilate as euphoniously with path. As these roads and paths may appear, and indeed prove to many, a labyrinth, they should be designated on direction boards, occasionally.

The sections of the grounds made by the roads and paths I have marked on the plan as A, B, C, and so on alphabetically. These embrace large parts of the grounds and are circumscribed by the roads—hence, when the nominal letter is found, it includes all the part within the broad road: this makes the sections of easy reference, as each section commences and ends its own numbers. The lots are marked on the plan in faint black lines, varying in size from two hundred feet to eight hundred feet,—thus suitable to all demands and requisitions as to space, and of varied surface. The smaller of the lots in size, from 200 to 350 feet, are invariably on level ground or nearly. The larger sizes are on the hill-sides, declivitous ground, as best suited for vaults or mausoleums, built with vertical, finished front instead of monument. Lots of this character are of great variety and position and aspect and suitable for every taste. The divisions of the lots on the plan are not arbitrary, nor need they be binding, as they are very faintly drawn,—that a line may not be a barrier to any purchaser having two lots, if so desired: and as the lots are sold the lines on this plan can be made stronger and deeper, thus marking the lots sold, showing at a glance which are to be sold and where choice may be made by intending purchasers: as the superintendent will mark off each lot as sold. I have not numbered the lots either, for the same reason, that two or three may be taken by one person. These two or three thus incorporated, should carry one number only, which will prevent confusion in the books and map. Again, it may be desired to divide some of the lots. I have spaced into three or four, lots for poorer persons, or those having small families: this is easily regulated on books of the Cemetery and on the record, if not numbered on the map, and there the division may be numbered as done without disturbing the chronicling of sales.

The fences being already completed, the next useful things are the buildings required. In these I have confined the design to the lodge, or superintendent's house at the gate, merely adding to and altering the brick house now near the proposed entrance, which is the best, as being nearest the city, and may

be rendered otherwise unobjectionable by the proper cutting down of the street laid out on the east side of the Cemetery, making an easy access, but which appears dangerous at present, as the descent is quick and steep from the street to the grounds of the Cemetery north of the south house (brick house). After the grounds are entered the road will be easy if well done, and to this plan. To the brick house, I have added a room with bow window on the line of the street, so as to command the approach to the gate from it by the porter or gate keeper, thus preventing delay of entrance. I have also added a bell tower, of simple form; in the upper part, a bell should be placed accessible by visitors to notice a desire of entrance, and also of size sufficient to be tolled on funeral occasions. The lower part of this tower would be a covered porch with a verandah to the road front, and another at right angles to the entrance; the house would have three rooms on each floor, thus making it a comfortable residence for the superintendent of the Cemetery. Another house of frame is on the property, which may be moved to the other side of the entrance gate, easily making it a residence for the assistant sexton. Beyond this, on the north, I have marked stables and sheds for the vehicles and horses of lot-holders and visitors. This is a temporary gateway till farther improvement is desirable. It is not, therefore, such an entrance or gateway as I would design, had it to be made anew, but the easiest and most economical use of the house now there.

Having gone over the useful and necessary work of the Cemetery, I will now describe what may be called the artistical, which pertains to the planting of trees and other ornamental work necessary by the Company. The whole of the valley or main run of water being from north to south is unavailable for the purposes of burial, but may be rendered highly ornamental to the main design by judicious planting. I have, therefore, marked it as decorative ground; the run of water I have marked as it may be carried, and has been naturally, so as to form an island. This may be planted in magnolias and other flowering shrubs of damp and watery natures and growth, so as to be a beautiful feature in the landscape, and indeed the whole of the

main valley may be so used as it is entirely unavailable for burial purposes. In some parts it is well grown in poplars, elm, &c., but is wanting in trees and bushes of lower growth. In order to form groups of these, I have desired the gardener employed (Mr. Græme,) to procure all he could from the natural woods, the trees that are indigenous being invariably the best to thrive, and be ornamental in the place desired. By this means and the proper guidance of the water, the main valley of Holly-Wood may be of the most beautiful description, varied and pleasing. The east hill should be planted densely, the plants may be of any kinds—better it should be overgrown with the common pine than remain in its present state; anything growing on that side would make the Cemetery seem more private, which is very desirable, as all who feel must know—and indeed it may be laid down as a rule, that all the exterior fences of a rural cemetery ought to be enveloped in shade of trees or young plantings of trees, else why do we fence our lots, or shut out the world otherwise, if not in grief—therefore, all along the east and west fences should be thickly planted, occasionally spreading out wide as I have marked upon the plan on these two lines. Beyond these the planting of the grounds by the Cemetery Company is confined to the borders of principal roads and angles thereof, as it will be found that planting of ornamental trees and shrubs will be done extensively by lot-holders: still a row or rows of tall tapering evergreens should be planted by the Company on the leading thoroughfares after entering the gate, as it renders solemn the whole grounds afterwards seen. There are many points and angles formed by the roads that should be also planted by the Company, but all these “time will show.” The only piece of water I have considered desirable, is at the debouch of the water into the culvert at the canal; this would be easily dammed by a retaining wall (some twenty or thirty feet from the canal as the line may be) built of sufficient height to dam the water to the desired breadth of pond—this is to be recommended also as a regulator to the emission of the waters of the main run, rendering it placid in

its bed, which once cut to the desired size and shape, will be without the trouble and expense of alteration.

Thus, gentlemen, I have endeavored to explain my plan for Holly-Wood Cemetery; should my services be further desired, please inform me at your earliest decision that I may regulate my time so as to visit and stake out the roads, &c. The plan on yellow paper is the key to the principal plan. In trust, gentlemen, that the design may please, I have the honor to be

Your most obd't serv't,

JOHN NOTMAN.

PROCEEDINGS OF THE HOLLYWOOD CEMETERY
COMPANY AT THEIR ANNUAL
MEETING IN MAY, 1849.

The first annual meeting of the Hollywood Cemetery Company was held pursuant to the By-Laws on the first Tuesday, being the first day of May, 1849, in the Library-room of the Richmond Library.

On motion of Mr. Peachy R. Grattan, Isaac Davenport, Esq., was called to the chair, and William H. Haxall appointed Secretary.

The President then read the Annual Report of the Board of Directors as follows:

FIRST ANNUAL REPORT OF THE PRESIDENT AND DIRECTORS OF THE
HOLLYWOOD CEMETERY COMPANY.

To the Members in General Meeting:

GENTLEMEN:—Soon after the general meeting of the subscribers in May last, the Board of Directors organized themselves by the appointment of Thomas H. Ellis as President, William Henry Haxall as Secretary, and Joshua J. Fry as Treasurer, the last named having been chosen by the Board a Director, in the place of Mr. William Mitchell, Jr., who declined serving.

The committee, consisting of Messrs. B. W. Haxall and R. H. Maury, who were appointed to obtain additional subscribers, and the signatures of all who were or might become subscribers to the By-Laws which had been adopted in general meeting, reported finally, that after diligent effort they were unable to obtain any new subscribers, but had obtained the signatures of all the previous subscribers to the By-Laws. The whole number of subscribers is fifty-five, and the whole number of shares subscribed for, at one hundred dollars each, eighty-seven.

The committee, consisting of Messrs. P. R. Grattan, G. A. Myers, W. Goddin, W. H. Haxall and I. Davenport, who were appointed to procure a deed conveying the property in trust, presented one which is believed to have been prepared with great care by gentlemen distinguished as conveyancers. The Board of Directors, in pursuance of instructions from the subscribers, appointed nine trustees, namely, Messrs. William H. Macfarland, Abram Warwick, R. Barton Haxall, H. Brooke Gwathmey, James C. Crane, John Womble, Horace L. Kent, Peachy R. Grattan, and John L. Bacon, to whom the deed has been duly executed, and all of whom, except Messrs. Bacon and Gwathmey, now absent from the City, have accepted the trust by signing the deed. The title to the property stands in the name of the whole body of the trustees, but any three of them are authorized to convey title to a section or sections in the Cemetery.

According to the Treasurer's statement, on the 1st of May last there remained in his hands to the credit of the subscribers \$316.10. The whole amount of the subscription money had been then paid except \$375. It was contemplated by the general meeting of subscribers that additional subscribers would have been obtained. Until that could be effected, the Board resolved to negotiate a loan for the purpose of prosecuting the improvement, under the conviction that too much had been then done to abandon the undertaking, and that further expenditure was necessary in order to render the previous outlay in any way available. Accordingly, from time to time, they borrowed money upon the Company's notes; and upon notes of

this character, now outstanding and running to maturity, there is due \$3,762.29. The Treasurer's account, herewith submitted, marked A, will show the money transactions of the Company since the present Board of Directors was appointed; and the general statement, also herewith submitted, marked B, will show the transactions of that nature from the beginning of the association to the present time.

In July last Mr. Græme, the superintendent, died. His place was supplied by the appointment of Mr. James O'Keeffe, who is now engaged at the salary of \$400 per annum. Mr. O'Keeffe was recommended as a skilful, practical gardener, and in his character as superintendent has given satisfaction. There are at this time sixteen hands under him, employed in laying out and preparing the grounds, at the hire of 88 cents per diem.

Mr. Joseph J. Pleasants, since August last, has been engaged as the Engineer. He has laid out the grounds in almost exact accordance with the plan of Mr. Notman. The few slight variations made by him have been only at points where the conformation of the ground rendered them obviously proper, and in every case with the sanction of the Board.

The plan of Holly-Wood has been now so far completed that the Directors feel authorized to bring it into market at an early day. It is proposed, therefore, with the advice and consent of the members, to advertise the sections for public sale on Wednesday, the 23rd day of the present month. Each section to be offered for sale has been, or will be before the day of sale, designated by permanent marks, the number of superficial feet in each ascertained, and a value assessed upon each by the Board of Directors. Certain portions of the ground will be reserved for single graves. An office plat will be kept, upon which the sections and single lots will be numbered, and from which selections may be made in the office after the first public sale. The Board have had a form of conveyance prepared, which expresses the rules and regulations concerning interments, improvements and repairs, and the same is herewith submitted for your approval.

All must feel that it is in a high degree important to give

permanency to our Cemetery, that there may be as far as practicable an undisturbed repose of the dead. A more substantial enclosure than the wooden fence now erected will undoubtedly be necessary before many years. In view of this, the Board take the liberty of suggesting that it might be well to set aside a stated amount annually as a fund, to be invested in some proper security, until a sufficient amount shall have been realized to complete a stone wall around such portions of the Cemetery as it may be deemed expedient thus to enclose.

The Board abstain from any general remarks on the interesting scheme in which they are engaged. They will take the opportunity, however, to say that they have given much of their time and attention to the supervision of the work, visiting the grounds frequently, and endeavoring as far as possible, by all proper means, to give impulse to the undertaking.

They are satisfied that in Holly-Wood the citizens of Richmond have the site of a Rural Cemetery of unsurpassed beauty; and they have set before them as their object the sentiment appropriately expressed by Washington Irving, that "the grave should be surrounded by everything that can inspire tenderness and veneration for the dead, or that might win the living to virtue."

Signed by order of the Board.

THOMAS H. ELLIS, *President.*

Richmond, April 30, 1849.

On motion of Mr. P. R. Grattan,

Resolved, That the report of the Directors be adopted, and that authority be granted them to act on the subjects therein contained as in their judgment may seem best,—*provided, however*, that in selling the lots the sales shall be in the usual mode by single sections.

Resolved further, That the report and proceedings of this meeting, and the deed to the Trustees for the property, with any other documents appertaining to the Cemetery, deemed suitable by the Directors, be published in pamphlet form, under the instructions of the Board.

On motion of Mr. Samuel Reeve,

Resolved, That the Board of Directors apply to the Legislature for an act of incorporation.

On motion of Mr. James C. Crane,

Resolved, That it be recommended to the Directors to make arrangements for such dedication services at the opening of the Cemetery as they may, after due consideration, deem expedient.

The following named Directors were then appointed for the ensuing year:

Thomas H. Ellis,

Joshua J. Fry,

James H. Gardner,

Alexander Duval,

Wm. Henry Haxall,

Corbin Warwick,

Gustavus A. Myers,

Henry Exall,

James C. Crane.

And then, on motion of Mr. Fleming James, the meeting adjourned.

The first interment was that of Frederick William Emrich, infant son of Mr. John Emrich, on the 1st day of July, 1848; on which occasion the burial service was conducted by the Rev. George Woodbridge, rector of the Monumental church, Richmond. The first monument erected in Holly-Wood was by Mr. Charles W. Purcell, to the memory of his little son, Charles, in May, 1851. The first head stone was by Mr. Oliver P. Baldwin, to the memory of his little daughter, Ann Louisa, in September, 1850.

On the 25th of June, 1849, the dedication of the cemetery took place on the grounds in the presence of the President and Directors, several of the clergy, and a numerous assemblage of citizens, gentlemen and ladies.

The ceremonies were commenced with a prayer, by the Rev. James L. Reynolds, pastor of the Second Baptist church, Richmond, after which Oliver P. Baldwin, Esq'r, delivered a most appropriate address, replete with eloquence and pathos, and marked throughout by unusual beauty and purity of thought and language.

On the 12th of March, 1850, the second petition to the Legislature for a charter of the Company was rejected by *an over-*

whelming majority, although the committee on propositions and grievances had reported a bill for incorporation. The application was supported by a printed statement of the most prominent facts and reasons in the case, and also by a printed correspondence exhibiting the experience of similar establishments at the North, as well as by personal efforts and explanations of the President and some of the Directors and members of the Company.

Notwithstanding this continued opposition, however, the stockholders, in general meeting assembled, resolved unanimously to persevere in their enterprise to its completion.

INCORPORATION.

At a meeting of the Stockholders held May 8th, 1856, the President submitted his annual report, of which the following is an extract: "The Board have the pleasure to announce that "at the last session of the Legislature, an Act was passed, *without opposition*, incorporating the Holly-Wood Cemetery Company. A certified copy of the Act is herewith communicated: "and such proceedings are recommended as may seem to the "stockholders proper, to avail themselves of its provisions."

AN ACT INCORPORATING THE HOLLY-WOOD CEMETERY COMPANY,
PASSED FEBRUARY 25TH, 1856.

Be it enacted by the General Assembly, that Thomas H. Ellis, William H. Haxall, James H. Gardner, Gustavus A. Myers, Corbin Warwick, Alexander Duval, Henry Exall, Joshua J. Fry, and Charles W. Purcell, their successors and associates, and such persons as may be hereafter associated with them, shall be and are hereby made and constituted a body politic and corporate under the name of the Holly-Wood Cemetery Company, subject to the provisions of the fifty-sixth and fifty-seventh chapters of the Code of Virginia, so far as the same may be appli-

cable and necessary for Cemetery purposes; provided that at no time shall the real estate held by said Company exceed sixty acres.

The officers of said Company shall be a President, who shall be annually elected by the Company, and such other officers as the Board may deem necessary and proper, and whose duties shall from time to time be prescribed by the By-Laws, Rules and Regulations of the Company, the first election to be held on the sixth day of May, eighteen hundred and fifty-six.

No interest of a corporator in the property of the said Company shall be subject in any way to the payment of debts, pass by insolvency, or into the hands of personal representatives, or be liable for taxes of any description, but the rights and interest shall remain in the families of each according to the course of descents.

No streets, lanes, roads, or alleys shall at any time be established or made over the said land or any part thereof without the consent of the Company, nor shall the same be condemned, or taken in any manner for any public use without such consent.

The grounds and improvements thereon, and all other property and things connected therewith belonging to the Company hereby incorporated shall for all police purposes be under the protection of and subject to the ordinances of the city of Richmond, and the mayor or any other justices of the peace of said city shall have jurisdiction concurrent with the justices and other officers of the county of Henrico, of all offences committed upon and within said grounds in the same manner as if done and committed within the city of Richmond.

This Act shall be in force from its passage.

State of Virginia, City of Richmond, to-wit:

I hereby certify that the foregoing is a true copy of an Act passed by the General Assembly on the 25th of February, 1856.

Given under my hand this 21st April, 1856.

(Signed.)

ST. G. TUCKER,
C. H. D., and keeper of the rolls of Va.

At the same meeting, (May 8th, 1856,) the following preamble and resolutions were adopted:

Whereas, the General Assembly of Virginia has by an Act passed on the 25th day of February, 1856, granted a charter of incorporation to the members of the Holly-Wood Cemetery Company,

Resolved, 1st. That the said Act of incorporation be accepted, and that the said Company be organized under the said charter.

2nd. That the members of the said corporation shall consist at present of the same persons which now constitute the members of the Holly-Wood Cemetery Company, and at any future period of such persons as would have hereafter become members of the said Holly-Wood Cemetery Company as provided in the by-laws of said Company.

3rd. That the officers of the said corporation shall consist of president and eight directors, to be chosen annually by the members of said corporation, in the manner provided by the by-laws of said Company, and shall continue in office until their successors are appointed; and the said president and directors shall possess the authority and discharge the duties vested in and prescribed to them by the by-laws of the said Holly-Wood Cemetery Company.

4th. That the said Board of Directors shall appoint a secretary, and the powers of the president shall be the same as the powers vested in the president by the said by-laws.

5th. That the members of said corporation may from time to time amend, alter, or add to said by-laws as they shall deem expedient, except, that whilst the members of said corporation consist of the share-holders of the property of said Holly-Wood Cemetery Company, they shall not have power to deprive the purchasers of lots in said Cemetery grounds of the rights secured to them by the fourth provision of the deed bearing date the 23rd day of April, 1849, by which the property of said Company is conveyed in trust for the benefit of the members thereof.

6th. That the property of the said Holly-Wood Cemetery Company be conveyed by the surviving trustees in said deed to

the said corporation, to be held by the said corporation subject to the first, second, third, fourth, fifth, and ninth trusts declared in said deed, and the said corporation shall assume the debts, liabilities and contracts of the said Holly-Wood Cemetery Company.

DIRECTIONS TO PURCHASERS OF LOTS.

Persons wishing to purchase lots in Holly-Wood Cemetery will apply to the superintendent, who may always be found at his office near the entrance gate, who has maps in his possession of all the sections and different lots, and will accompany the purchaser, show the vacant lots, and aid in making selections.

After having made a selection, the purchaser will please see that the number, section, size and price are properly entered by the superintendent in his book, which will be exhibited to him for that purpose. The purchaser will sign his name to the ticket, which is to be retained in his book, and receiving then a duplicate ticket, will take that to the Treasurer of the Company, and upon payment of the stipulated price the Treasurer will issue a certificate of title. And in no case is the superintendent authorized to open a grave unless the title accompanies the application.

The conditions of sales in every case is for cash.

FORM OF TITLE.

No. ———,
 Holly-Wood Cemetery,
 ——— Section, ——— Lot, No. ———.

This is to certify that ——— is the lawful owner of Lot No. ———, Section ———, containing ——— superficial feet in the Holly-Wood Cemetery, according to the plan thereof, surveyed by Joseph J. Pleasants, and now in the possession of the Holly-Wood Cemetery Company, which lot is held by the said ———, with the rights and privileges conferred by the Act of Incorporation of the said Holly-Wood Cemetery Company, passed February 25th, 1856,

and subject to the regulations adopted from time to time by the stockholders consistent therewith.

[Seal.] Witness the hand of the President and the corporate seal of the Holly-Wood Cemetery Company on this ——— day of ———, 18——.

—————, President.

—————, Treasurer.

TO COUNTRY FAMILIES.

Since communications with Richmond have become so numerous by rail and water, persons in the country might purchase burial lots here instead of using their own fields, which, among the mutations of property in Virginia, are so liable to be ploughed over by subsequent proprietors. Some purchases of this kind have been made, but it is surprising that they have not been more numerous. How infinitely more appropriate it would be to make these arrangements deliberately whilst in health, than to impose them upon friends after death, when they must necessarily be made hurriedly and in the midst of distress.

ENCLOSURES.

The opinion of many lot owners having changed in regard to enclosures since the adoption of the Rules and Regulations of the Company, the Directors now recommend all purchasers of new lots, as well as the present owners of lots who have not yet made their enclosures, to dispense with the old system of iron fences and use granite curbing exclusively. This will be found more durable, less expensive, and far more attractive to the eye.

MONUMENTS.

Every person visiting our cemeteries cannot fail to observe the large number of monuments which are in bad condition. This is owing to neglect in preparing the foundations. No monument should be erected unless the foundation commences from

the bottom of the grave, bricked with an arch to cover the sarcophagus or coffin.

Every contractor to furnish a monument should, for his own reputation, require a foundation to be constructed so substantial that the structure would never tip or tumble down. There is no one, who for a moment reflects, that will not readily concede that when the pine box which receives the sarcophagus or coffin, decays, the ground will give way, and the monument thus unprotected becomes displaced.

PRESERVATION OF THE RECORDS.

The greater number of the books and papers of the Company having been destroyed by fire on the 3rd of April, 1865, and in consequence thereof no proper record of the accounts and proceedings of the Company being in existence, the Board of Directors, at a meeting held on the 19th of December, 1867, contracted with Col. Thomas H. Ellis, the President, to record in a suitable book from the originals in his possession, the title deeds to the property of the Company, the proceedings of the stockholders and of the President and Directors, and such other documents as he might deem appropriate to record, from the organization of the Company.

This duty was discharged by the President, who laid before the Board, on the 2nd of May, 1868, a record written by himself, which was received and approved, and the unanimous thanks of the Board were tendered to Col. Ellis for the full and highly satisfactory manner in which he executed this laborious work.

And at a meeting of the stockholders held the same day, the By-Laws were amended so that a majority of shares represented by such of the original subscribers as may be living at the time shall constitute a quorum for the transaction of any business of the Company. At this meeting of the stockholders, (May 2nd, 1868,) the President and Secretary were authorized, upon satisfactory proof of the loss of the original certificate of title issued by this Company, to issue a duplicate certificate.

On the 25th of May, 1870, Col. Ellis resigned his office of President of Holly-Wood Cemetery Company, after a service of twenty-one years, (having been elected May 1st, 1849.)

His resignation was accepted, and the following resolution was unanimously adopted by the Board of Directors at a meeting held October 7th, 1870 :

“Resolved, That by a change of residence of Col. Thomas H. Ellis, late President of Holly-Wood Cemetery Company, from this city to Chicago, we have lost a most valuable officer, who by his assiduity, efficiency and urbanity, not only preserved the esteem of his associates, but won the kindest regards of all those with whom, in the discharge of his official duties, he was brought in contact.”

The Directors cannot part with Col. Ellis without expressing upon their records their grateful sense of the services he has rendered to the Company. For twenty-one years he has acted as the President of the Company, without compensation, and during all that period he has labored indefatigably and successfully to advance its prosperity ; and now in the perfection of its plan and the beauty of its execution, and in its complete and thorough organization under a charter so long refused, we have the evidence and the results of his earnest and persevering attention and labor. The Directors and the Company must ever remember his long, faithful, efficient and gratuitous services with gratitude, and their thoughts will follow him to his new field of labor with earnest wishes for his success.

Whilst, however, the Directors would express warmly their high admiration of the services rendered to the Company by Col. Ellis, they think they have been able to fill the position which he so long occupied, by the appointment of a gentleman worthy to succeed him, Wm. H. Haxall, Esq., who was one of the earliest originators of the scheme, and has been an earnest advocate of it from its incipency to the present hour.

It is a fundamental law of Holly-Wood Cemetery Company that all money received shall be applied to the preservation and improvement of the Company's grounds and buildings. There exists an impression in the minds of many persons, even in our

own midst, who should be better informed, that this Company is a joint stock association, declaring annually large dividends to its stockholders. Such a conclusion is grossly unjust to its originators and to those who have it at present in charge. On the contrary, we can assure the public that every dollar of its receipts, except what may be necessary for salary of the Superintendent, wages of laborers, occasional services of a clerk, and a small salary to the Secretary and Treasurer, is devoted to the preservation and perpetuation of the improvements already made, and the further embellishment of the grounds. No officer of the Company ever received one dollar of compensation for services prior to 1862, and since then only to the Secretary and Treasurer has a small salary been allowed. The investments derived from the sale of lots, after the payment of the money borrowed by the Company before the war, in city and State securities, were converted into Confederate bonds soon after the commencement of the war, with the desire to obtain a better interest, and under the common belief that should the cause in which we were engaged prove unsuccessful, all bonds of every description would share alike. In addition thereto, as almost every family in the city had one or more of its members in the army, and all looking to some disaster, a very large number of lots were sold and paid for in Confederate money.

Owing to the loss of funds occasioned by the war, and the fact that so many lots had already been disposed of, it became a subject of grave consideration how resources should be obtained sufficient to meet the annual expenses and enable the Company to reserve the amount received for sale of lots to be applied as originally contemplated, *i. e.*, for the erection of a permanent enclosure of the grounds. Several schemes were proposed, one of which was to assess annually a small sum to be collected from each lot-owner. This would have been equal and proper under the circumstances but for the difficulty of making the collections. The President and Directors therefore thought it would be best to call a meeting of the owners of lots in the Cemetery and have the subject submitted for their consideration for the purpose of recommending the best course to be pursued.

Accordingly, notice was given in the daily papers inviting a general meeting of all owners of lots in Holly-Wood Cemetery, then numbering about 1,500.

This meeting took place on the 16th of July, 1868. Gustavus A. Myers was elected Chairman and Samuel W. Harwood Secretary.

Three resolutions were introduced by Col. Christopher Tompkins.

1st. That it is eminently proper that suitable enclosures should be constructed around the Holly-Wood Cemetery grounds.

2nd. That a committee of 15 be appointed to consider the subject and to report to a meeting of the lot-holders, to be held on the first Monday in October next, such measures as they may recommend.

3rd. That the said committee be appointed by the chairman.

When the following persons were appointed :

Christopher Q. Tompkins,	Emil O. Nolting,
Joseph R. Anderson,	John C. Shafer,
Robert Edmond,	Wm. E. Tanner,
George A. Barksdale,	Wm. H. Christian,
John Purcell,	Anthony Bargamin,
Sam'l W. Harwood,	Robert Archer,
S. Horace Hawes,	William G. Ferguson,
Charles H. Dimmock.	

On the first Monday of October, so few assembled, that an adjournment was agreed upon, and on the day fixed by adjournment to meet again, only two or three of the lot-owners were in attendance.

After due consideration the Board of Directors decided to grade and bring into view for sale the unsurveyed portions of the grounds, and increase the tariff for interments. They also passed a resolution that no portion of the money received for the sales of lots should be appropriated to any other purpose than the establishment of an interest-bearing fund to be applied as heretofore indicated.

This explanation, it is hoped, may serve to show why it became necessary to charge more for lots than the original valuation, and higher fees for burials, and free the Company from the aspersion of making Holly-Wood, as it has been said, only a burial place for the rich. It may be proper to state in this connection that nearly three acres of the Cemetery property were turned over to the Confederacy, in which repose the remains of (7,557) seven thousand five hundred and fifty-seven soldiers; the Company having never received any compensation for the same; also, that no application for burial free of charge has ever been made by the friends of a deceased poor person and refused.

On the 9th of May, 1862, at a meeting of the stockholders, it was resolved that the offices of Secretary and Treasurer should be united, and that the salary of the Secretary and Treasurer should be fixed at \$300 per annum; also, that before entering upon his duties he shall be required to give bond and good security in the penalty of \$5,000, conditioned upon the faithful performance of all the duties of his office.

It was resolved unanimously that the thanks of the stockholders be, and are hereby presented to James H. Gardner, for the prompt, faithful, and acceptable manner in which for thirteen years he has gratuitously performed the important and responsible duties of Treasurer of this Company. At the same meeting it was resolved, as one of the By-Laws on permanent regulations of this Company, that hereafter no person convicted of crime, and who suffers death in consequence thereof according to the laws of Virginia, shall be buried in the Holly-Wood Cemetery.

AMENDMENT OF THE CHARTER.

On the 30th April, 1874, the Legislature passed the following Act amending the Company's charter :

Be it enacted by the General Assembly, that the first and second sections of the Act entitled "An Act incorporating the Holly-Wood Cemetery Company," passed the 25th February, 1856, be amended and re-enacted as follows :

1. Thomas H. Ellis, Wm. H. Haxall, James H. Gardner, Henry Exall, Corbin Warwick and Charles W. Purcell, their associates and successors, and such persons as may hereafter be associated with them, shall be a body politic and corporate under the name and style of the Holly-Wood Cemetery Company, subject to the fifty-sixth and fifty-seventh chapters of the Code of Virginia, and any amendments thereof since made, so far as the same may be applicable and necessary for cemetery purposes: provided, that at no time shall the real estate held by such Company exceed one hundred acres.

2. The officers of the Company shall be a President, who shall be annually elected by the Company, as many Directors as may be fixed by the By-Laws, who shall also be elected annually by the Company, and who may be chosen either from the stockholders or the owners of lots in the Cemetery, and such other officers as the Company may direct, or the Board of Directors may deem necessary, and whose duties shall be prescribed by the By-Laws, Rules and Regulations of the Company. Whilst the shareholders are the corporators of the Company, a majority of those living in the city of Richmond and the counties of Henrico and Chesterfield shall constitute a quorum for a general meeting; and when the owners of lots in the Cemetery become the corporators, *thirty* shall be sufficient to constitute such quorum.

This Act shall be in force from its passage.

A copy from the rolls.

(Signed)

J. BELL BIGGER,

Clerk of House of Delegates and Keeper of the Rolls of Va.

May 13, 1874.

PROTECTION OF THE CEMETERY.

Extract from city ordinances concerning injuries to real property. Chapter 55.

SEC. 2. If any person shall wilfully destroy, injure, or in any manner deface any grave, tombstone or monument in any public or private cemetery in this city, or if any person other than the owner shall wilfully destroy, injure or deface any fence or enclosure thereof, or any tree, shrub or flower, or any other thing within such cemetery, he shall be fined not less than two hundred nor more than five hundred dollars, or if the fine be not paid, imprisoned for not less than thirty nor more than ninety days. And if any person other than the owner shall pluck, take or remove from such cemetery any flower, wreath, vine, plant or other ornament, he shall be fined not less than five dollars nor more than one hundred dollars, or if the fine be not paid, imprisoned for not less than thirty nor more than ninety days.

SEC. 3. The superintendent, assistant superintendent and steward of the city almshouse, and the keepers and assistant keepers of all cemeteries, public buildings, parks or enclosures within the city are vested with the powers of policemen of said city, so far as the limits of their respective cemeteries, buildings, parks or enclosures are concerned.

ORDERS OF BOARD OF DIRECTORS.

RICHMOND, VA., April 30, 1875.

Resolved, That the Treasurer shall charge for all transfers of lots or portions of lots, and for all duplicate titles, one dollar each.

April 30, 1876.

Resolved, That hereafter the Tariff of Fees shall be as follows:

For digging grave of an adult,	-	-	-	-	\$11 00
“ “ “ “ a child over 5 years,	-	-	-	-	8 00
“ “ “ “ a child under 5 years,	-	-	-	-	5 00
“ “ “ to be bricked up,	-	-	-	-	15 00
“ disinterring a body, adult,	-	-	-	-	11 00
“ “ “ child over 5 years,	-	-	-	-	8 00
“ “ “ child under 5 years,	-	-	-	-	5 00

RICHMOND, VA., 2d January, 1889.

A meeting of the Board of Directors of Hollywood Cemetery Company, called by the Secretary and Treasurer in consequence of the death of Wm. H. Haxall, President, who died on the 27th December, 1888, was held at the office of the Virginia State Insurance Company on to-day, at 12 o'clock M.

Present—Messrs. Bargamin, Exall, Glasgow, Somerville, Walker, and Willis.

On motion of Mr. Henry Exall, Mr. Robert B. Somerville was called to the chair.

The Secretary presented the following paper, which was adopted, ordered to be spread on the Minutes, and a copy sent to the family:

“Our late President, William Henry Haxall, having been connected with Hollywood Cemetery since its foundation, as purchaser, Director, and President, the Board of Directors cannot witness his departure from our midst without giving expression to our high appreciation of his character as a man, a citizen, and an officer of this Company. As a man and a citizen in all the walks of life, as far as in him lay, he fulfilled the scripture injunction, to ‘do justice, love mercy, and walk humbly with his God.’

“In his death Richmond has lost one of her best citizens and this Company a faithful officer, and, although he lived to a

ripe old age, regretting that his presence will no longer be with us: therefore;

“*Resolved*, That in the death of William Henry Haxall, late President of Hollywood Cemetery Company, we have lost a most valuable officer, who, by his assiduity, efficiency, and urbanity, not only preserved the esteem of his associates but won the kindest regards of all those with whom, in the discharge of his official duties, he was brought in contact.”

A copy from the minutes.

R. T. BROOKE,
Secretary.

JULY 10, 1889.

An adjourned meeting of the stockholders of Hollywood Cemetery Company was held in the rooms of the Chamber of Commerce on Wednesday, 10th July, 1889. A. Bargamin, Esq., President, in the chair, stated the object of the meeting to be to hear the report of the Board of Directors on By-Laws, Rules and Regulations, and requested John Dunlop, Esq., the Chairman of the Committee of the Board of Directors, to read his report; which was adopted as follows:

BY-LAWS.

1. The affairs of the Hollywood Cemetery Company shall be managed and conducted by a President and eleven Directors, who shall be annually chosen by the majority of the stockholders (lot-owners) of said Cemetery present, voting in person or by proxy, at the annual meeting of the Company to be held on the second Tuesday in May in each year. All proxies shall be in the form prescribed by the Board of Directors.

2. The owner or owners of each lot shall be entitled to one vote at all meetings of the Company, and when any lot is owned by more than one person the majority of said owners of said lot shall be entitled to cast the vote therefor; but no person shall vote unless their names are registered on the books of the Company as lot-owners, or unless they show to the Board of

Directors, or a committee appointed by the Board of Directors for that purpose, that they represent the family of the owners of the lot for which they purpose to cast a vote.

3. The Directors shall hold office for one year and until their successors are elected, and they shall be governed in their action by the trusts contained in the deeds by which the property of the Company is held, as modified by the charter of the Company and by the By-Laws, Rules and Regulations established by said Company not inconsistent with said trusts modified as aforesaid.

4. There shall be elected at the first annual meeting of the Board of Directors, from their own number, an Executive Committee, consisting of three persons, who shall have charge of the entire property of the Company and of all improvements thereof, subject to the control of the Board of Directors, and shall audit all accounts and make report thereof when required by the Board of Directors.

5. The Board of Directors shall appoint a Secretary and Treasurer, who shall not be a member of said Directory.

THE PRESIDENT.

6. The President of the Company shall hold office for one year, and until his successor shall be elected. He shall preside at all meetings of the Directors; enforce a due observance of the By-Laws and Rules; see that the officers perform their respective duties; appoint all committees and officers not otherwise provided for by the By-Laws or the Board of Directors; give the casting vote on all matters when a tie may occur; inspect and announce the result of all ballotings and other votes; direct the Secretary to call special meetings of the Board of Directors when deemed necessary by the President or required by three members of the Board of Directors in writing, and perform all such other duties as may be required of him by the Board of Directors.

SECRETARY AND TREASURER.

7. The offices of Secretary and Treasurer shall be filled by one and the same person, who shall be elected for the term of one year and until his successor shall be elected, at the first meeting of the Board of Directors called by the President after the general annual meeting of the Company. He shall give bond, with good security for the faithful performance of his duties, in the penalty of \$5,000. His salary shall be \$700 per annum, payable monthly. He shall keep a plain and correct record of the proceedings of the Board of Directors; call special meetings when directed by the President or by any three Directors; keep a register of all lot-holders, together with such transfers as may be made; keep a register of all permits for burial, the lot interred in, and the name, age, and disease of the deceased; keep possession of all bonds and securities belonging to the Company; receive all moneys paid to the Company on account of the sale of lots or for any services performed by the servants of the Company under the rules and regulations of the Company; pay all bills which are approved by the Executive Committee of the Company; keep a full and accurate account of said bonds, securities and moneys received by him, and of all sums which he has paid out, and for what purpose they are paid, and make report thereof at the next meeting of the Board of Directors, when so required by said Board; and shall deliver up all moneys, bonds, securities, books, and other papers in his possession belonging to the Company to his successor in office, or to any committee legally appointed for that purpose.

SUPERINTENDENT.

8. The Superintendent shall be chosen by the Directors for one year, subject to removal by the Board of Directors on ten days' notice. He shall receive in compensation for his services fifteen dollars and thirty-eight cents and one-half of a cent per week, payable at the end of each week, and shall reside in the house on Cherry street, belonging to the Company, free of rent.

He shall not be allowed to be engaged in any work or business unconnected with the Company; nor shall he receive compensation from any one else for work done by him, either on the grounds of the Company or elsewhere. He shall have general direction and control, under the President or Executive Committee, of the lands of the Company and of all improvements therein. He shall keep a record of all lots in the Cemetery, so that the name may be known and easily found if the boundaries should be obliterated. He shall see that the rules and regulations of the Board of Directors, with respect to the Cemetery and with respect to the improvements on lots by holders thereof, be properly observed. He shall have charge and keep an account of the property, tools, and implements of the Company which may be on the premises. He shall furnish, when required, estimates of the probable expenditures of the coming week or month, and shall at the end of every week, certify to the President the number of hands employed, the amount of money due, and the work in which they have been engaged and its condition. He shall keep a record of all interments that take place in the Cemetery, and of all expenses incurred, in the form determined by the Board of Directors, and make report of the same to the Secretary and Treasurer. When ordered by any lot-owner to prepare a grave, he shall cause the same to be prepared, but shall not be responsible for its preparation by the time appointed unless he shall have had eight hours' previous notice thereof by daylight.

RULES CONCERNING VISITORS.

1. The gates of the Cemetery shall be open at sunrise and closed for ingress at sunset.
2. Children shall not be admitted unless accompanied by their parents or persons having them specially in charge.
3. Schools and other large assemblies, except in attendance on funerals, shall not be admitted.
4. Fast driving, beyond the rate of four miles an hour, is strictly prohibited.

5. Drivings on the paths are not allowed, and no vehicles are allowed out of the avenues except hearses, or under special permits of the Superintendent.

6. Persons having refreshments shall not be allowed to enter the grounds.

7. No dogs shall be admitted.

8. All persons are prohibited from picking any flowers, either wild or cultivated, or breaking any tree, shrub or plant, and from writing upon, defacing or injuring any monument, fence or other structure in or belonging to the Cemetery.

9. All persons disturbing the quiet and good order of the place by noise or other improper conduct, or who shall violate any of the foregoing rules, shall be compelled instantly to leave the grounds.

10. The gate-keepers are charged to prohibit the entrance of all improper persons, and of all those who may be known to have, at any time, wilfully transgressed the regulations of the Cemetery.

11. No money may be paid to the keepers of the gates or any other person in the employment of the Company in reward for any personal services or attention.

12. No vehicles, except in funeral processions or under special permit from one of the Executive Committee, allowed in the grounds on Sunday.

13. No enclosures allowed to be erected in the new portion of the Cemetery higher than eighteen inches above the surface.

